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SUPERIOR COURT OF THE STATE OF CALIFORNIA
FOR THE COUNTY OF SAN DIEGO

THE PEOPLE OF THE STATE OF
CALIFORNIA,

Plaintiff,

v.

WESTSIDE GANG, an unincorporated
association; ANTONIO ARGUELLES; LUIS
CARAPIA, a.k.a. "Pee Wee"; TONY CARAPIA;
VIDAL CARRILLO, a.k.a. "Vdog"; ARTURO
CHAIRES, a.k.a. "Chunky"; EDDIE CHAIRES,
aka "Ed Dog"; JOSE CHAVEZ, a.k.a.
"Pelucas"; ARMANDO GARIBAY, a.k.a.
"Monster"; RUBEN IBARRA, aka "Heavy
Duty"; CARLOS LARIOS, a.k.a. "Lil' Beast";
HILARIO LEON, a.k.a. "Chaka"; RAFAEL
NIETO, a.k.a. "Beast"; EDUARDO OLEA;
FEDERICO RAMOS, a.k.a. "Aboo"; ANGEL
ARTURO ROCIO; SINUHE ROJAS, a.k.a.
"Tuntun"; EDUARDO SOTO, aka, "Conejo";
LEOBARDO TORRES, a.k.a. "Smurf"; JUAN
VALDEZ, a.k.a. "Scrappy"; CHRISTOPHER
VELA, a.k.a. "Puppet"; STEVEN VOGT, a.k.a.
"Whitey"; FRANKIE ZAMORA, a.k.a. "Tiny";
and DOES 1 through 50;

Defendants.

No. GIN013907

**[PROPOSED] ORDER TO SHOW
CAUSE RE PRELIMINARY GANG
INJUNCTION AND TEMPORARY
RESTRAINING ORDER**

Date: July 13, 2001

Time: 1:30 p.m.

Dept: 18

Judge: Hon. John S. Einhorn

1 The application of plaintiff, the People of the State of California, for an Order to
2 Show Cause why a Preliminary Gang Injunction should not be issued and a Temporary
3 Restraining Order was heard at the above date and time.

4 After considering the declarations and Memorandum of Points and Authorities on file
5 in this action, arguments of counsel and other evidence submitted:

6 **IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that defendants,
7 ANTONIO ARGUELLES; LUIS CARAPIA, a.k.a. "Pee Wee"; TONY CARAPIA; VIDAL
8 CARRILLO, a.k.a. "Vdog"; ARTURO CHAIREZ; EDDIE CHAIREZ, a.k.a. "Ed Dog";
9 JOSE CHAVEZ, a.k.a. "Pelucas"; ARMANDO GARIBAY, a.k.a. "Monster"; RUBEN
10 IBARRA, a.k.a. "Heavy Duty"; CARLOS LARIOS, a.k.a. "Lil' Beast"; HILARIO LEON,
11 a.k.a. "Chaka"; RAFAEL NIETO, a.k.a. "Beast"; EDUARDO OLEA; FEDERICO RAMOS,
12 a.k.a. "Aboo"; ANGEL ARTURO ROCIO; SINUHE ROJAS, a.k.a. "Tuntun"; EDUARDO
13 SOTO, a.k.a. "Conejo"; LEOBARDO TORRES, a.k.a. "Smurf"; JUAN VALDEZ, a.k.a.
14 "Scrappy"; CHRISTOPHER VELA, a.k.a. "Puppet"; STEVEN VOGT, a.k.a. "Whitey";
15 FRANKIE ZAMORA, a.k.a. "Tiny"; shall appear before this Court on _____,
16 2001 at __:00 a.m. in Department 18 to show cause why they, and the WESTSIDE GANG,
17 its members, agents, servants, and employees, and all persons acting under, in concert with,
18 or from any of them, should not be enjoined and restrained from engaging in any of the
19 following activity in the Safety Zones, as follows: "WESTSIDE Safety Zones", as follows:
20 (1) Westside Park, located at 333 S. Spruce St.; (2) the area bordered to the North by W. 4th
21 Ave., between Upas St. and Escondido Blvd.; to the South by West 15th Ave., between Upas
22 St. and Escondido Blvd.; to the East by Escondido Blvd., between 4th and 15th Ave.; to the
23 West by Upas St., between 4th and 15th Ave.; (3) the 1500 and 1600 blocks of S. Orange
24 Place.

25 And the "Diablos Safety Zones": (1) the area bordered by the 150 block of N.
26 Broadway through the 800 block of N. Broadway to the West; the 100 block of E. Mission
27 Ave. through the 1600 block of E. Mission Ave. to the North; the 300 block of N. Rose St.
28 through the 800 block of N. Rose St. to the East; and the 100 block of E. Valley Parkway

1 through the 1600 block of E. Valley Parkway to the South; (2) the area bordered by the 500
2 block through the 600 block of N. Rose St. to the West; the 1600 block of E. Washington
3 through 1720 E. Washington to the North; 500 Begonia St. through 595 Begonia St. to the
4 East; and Escondido Creek (Flood Control Channel) between Rose St. and Begonia St. to the
5 South. (See Exhibits A1-3 attached hereto.)

6 a. **No Association:** Standing, sitting, walking, driving, bicycling, gathering or
7 appearing anywhere in public view with any other defendant herein, or with any other known
8 WESTSIDE gang member;

9 b. **Stay Away From Drugs:** Using illegal drugs in public, being under the
10 influence of drugs, in public;

11 c. **No Drug Possession or Sales:** (1) Participating in the possession and/or sale
12 of narcotics/drugs, including but not limited to heroin, methamphetamine, cocaine,
13 marijuana; (2) possession of related drug paraphernalia, including but not limited to, rolling
14 papers or pipes used for illegal drug use;

15 d. **Stay Away From Alcohol:** (1) Drinking or possessing alcoholic beverages;
16 (2) being under the influence of alcohol; (3) knowingly remaining in the presence of anyone
17 possessing an open container of an alcoholic beverage; (4) knowingly remaining in the
18 presence of an open container of an alcoholic beverage;

19 e. **No Guns or Dangerous Weapons:** (1) Possessing any weapons: firearms
20 including BB guns, pellet guns and replica guns, ammunition, knives, rocks, bottles,
21 sharpened screwdrivers, sticks, or any other instrument prohibited by Penal Code section
22 12020; (2) no possession of baseball bats or golf clubs without a legitimate purpose; (3)
23 knowingly remaining in the presence of anyone who is in possession of such dangerous
24 weapons; (4) knowingly remaining in the presence of such dangerous weapons;

25 f. **No Fighting:** Engaging in fighting in public streets, alleys, and/or public and
26 private property;

27 g. **No Graffiti/Vandalism Tools:** Possessing marker pens, spray paint cans,
28 nails, razor blades, or other sharp objects capable of defacing private or public property;

1 h. **No Graffiti/Vandalism:** Spray painting, marking with marker pens,
2 scratching, applying stickers or otherwise applying graffiti on any public or private property,
3 including but not limited to the street, alley, residences, block walls, vehicles and/or any
4 other real or personal property;

5 i. **No Trespassing:** Being present on any property not open to the general public,
6 except with (1) the prior written consent of the owner, owner's agent, or the person in lawful
7 possession of the property or (2) in the presence of and with the voluntary consent of the
8 owner, owner's agent, or the person in lawful possession of the property;

9 j. **No Blocking Free Passage:** Blocking the free passage of any person or
10 vehicle on any street, walkway, sidewalk, driveway, alleyway, or other area of public
11 passage;

12 k **No Shooting of Guns:** Discharging any firearm, including BB guns;

13 l. **No Intimidation:** In any manner confronting, intimidating, annoying,
14 harassing, threatening, challenging, provoking, assaulting and/or battering any residents or
15 patrons or visitors to the Safety Zones, or any other persons who are known to have
16 complained about gang activities;

17 m. **No Contraband in Cars:** Driving or possessing a vehicle found to have any
18 contraband, drugs, or illegal or deadly weapons;

19 n. **No Burglary Tools:** Possessing burglar tools with no legitimate purpose,
20 including rocks, slim jims, spark plugs, or any part of the spark plug including the porcelain
21 casing, or other devices capable of being used to break into locked vehicles;

22 o. **No Acting as Lookouts:** Signaling to, whistling, or acting as a lookout for
23 other persons to warn of the approach of police officers;

24 p. **No Littering:** Littering in any public place or place open to public view;

25 q. **No Urinating in public:** Urinating on any public or private property open to public
26 view;

27 r. **No Gang Hand Signs:** Using physical gestures, or symbols, commonly
28 known as hand signs or engaging in other forms of communication which describe or refer to

1 the gang known as WESTSIDE, including, but not limited to: extending the index finger and
2 last finger while crossing the ring finger and middle finger to form a “W”; touching the tips
3 of both thumbs and extending the index fingers at an angle, or touching the tips of the index
4 fingers together and while the thumbs are extended to form a “W”; with another person,
5 grasping there hands while extending the opposite hand, to form a “W”; making an “S” made
6 by cupping both hands as if making a letter “C” then placing the right hand on top of the left
7 hand; Placing the index finger under the middle finger and separating the two while
8 extending the thumb in a downward position to make an “S”.

9 s. **No Gang Clothes:** Wearing clothing, or accessories, including necklaces,
10 which bear the name, initials, letters, numbers or other symbols of the gang known as
11 WESTSIDE, including, but not the limited to : "WSG"; “WSG1”; “WSGX3”; “WS”;
12 “WS#1”; “VE 13”; VEXIII”; VEV XIII”; VEV X3”; “X3”; “XIII”; and “13.”

13 t. **No Loud Noise:** Making, or causing loud noise of any kind, including, but not
14 limited to, yelling and loud music at any time of the day or night, in violation of Escondido
15 Municipal Code §§17-240 (a), (b), §17-227(1) and (2);

16 u. **Juvenile Curfew:** If under the age of eighteen (18), being in a public place
17 between the hours of 10:00 p.m. on any day, and 6:00 a.m. of the following day, unless (1)
18 accompanied by a parent or legal guarding, or by a spouse eighteen (18) years of age or
19 older, or (2) performing an errand directed by a parent or legal guarding, or by a spouse
20 eighteen (18) years of age or older, or (3) returning directly home from a public meeting, or a
21 place of public entertainment, such as a movie, play, sporting event, dance or school activity,
22 or (4) actively engaged in some business, trade, professionalism, or occupation which
23 requires such presence;

24 **IT IS FURTHER ORDERED**, that pending a hearing on the previous order to show
25 cause, defendants ANTONIO ARGUELLES; LUIS CARAPIA, a.k.a. “Pee Wee”; TONY
26 CARAPIA; VIDAL CARRILLO, a.k.a. “Vdog”; ARTURO CHAIREZ; EDDIE CHAIREZ,
27 a.k.a. “Ed Dog”; JOSE CHAVEZ, a.k.a. “Pelucas”; ARMANDO GARIBAY, a.k.a.
28 “Monster”; RUBEN IBARRA, a.k.a. “Heavy Duty”; CARLOS LARIOS, a.k.a. “Lil’ Beast”;

1 HILARIO LEON, a.k.a. "Chaka"; RAFAEL NIETO, a.k.a. "Beast"; EDUARDO OLEA;
2 FEDERICO RAMOS, a.k.a. "Aboo"; ANGEL ARTURO ROCIO; SINUHE ROJAS, a.k.a.
3 "Tuntun"; EDUARDO SOTO, a.k.a. "Conejo"; LEOBARDO TORRES, a.k.a. "Smurf";
4 JUAN VALDEZ, a.k.a. "Scrappy"; CHRISTOPHER VELA, a.k.a. "Puppet"; STEVEN
5 VOGT, a.k.a. "Whitey"; FRANKIE ZAMORA, a.k.a. "Tiny"; WESTSIDE GANG, its
6 members, agents, servants, and employees, and all persons acting under, in concert with, or
7 from any of them, are hereby enjoined and restrained from engaging in or performing
8 directly, or indirectly, any of the following activity in the Safety Zones, as follows:
9 "WESTSIDE Safety Zones", as follows: (1) Westside Park, located at 333 S. Spruce St.; (2)
10 the area bordered to the North by W. 4th Ave., between Upas St. and Escondido Blvd.; to the
11 South by West 15th Ave., between Upas St. and Escondido Blvd.; to the East by Escondido
12 Blvd., between 4th and 15th Ave.; to the West by Upas St., between 4th and 15th Ave.; (3) the
13 1500 and 1600 blocks of S. Orange Place. And the "Diablos Safety Zones": (1) the area
14 bordered by the 150 block of N. Broadway through the 800 block of N. Broadway to the
15 West; the 100 block of E. Mission Ave. through the 1600 block of E. Mission Ave. to the
16 North; the 300 block of N. Rose St. through the 800 block of N. Rose St. to the East; and the
17 100 block of E. Valley Parkway through the 1600 block of E. Valley Parkway to the South;
18 (2) the area bordered by the 500 block through the 600 block of N. Rose St. to the West; the
19 1600 block of E. Washington through 1720 E. Washington to the North; 500 Begonia St.
20 through 595 Begonia St. to the East; and Escondido Creek (Flood Control Channel) between
21 Rose St. and Begonia St. to the South. (See Exhibits A1-3 attached hereto.)

22 a. **No Association:** Standing, sitting, walking, driving, bicycling, gathering or
23 appearing anywhere in public view with any other defendant herein, or with any other known
24 WESTSIDE gang member;

25 c. **Stay Away From Drugs:** Using illegal drugs in public, being under the
26 influence of drugs, in public;

27 c. **No Drug Possession or Sales:** (1) Participating in the possession and/or sale
28 of narcotics/drugs, including but not limited to heroin, methamphetamine, cocaine,

1 marijuana; (2) possession of related drug paraphernalia, including but not limited to, rolling
2 papers or pipes used for illegal drug use;

3 d. **Stay Away From Alcohol:** (1) Drinking or possessing alcoholic beverages;
4 (2) being under the influence of alcohol; (3) knowingly remaining in the presence of anyone
5 possessing an open container of an alcoholic beverage; (4) knowingly remaining in the
6 presence of an open container of an alcoholic beverage;

7 e **No Guns or Dangerous Weapons:** (1) Possessing any weapons: firearms
8 including BB guns, pellet guns and replica guns, ammunition, knives, rocks, bottles,
9 sharpened screwdrivers, sticks, or any other instrument prohibited by Penal Code section
10 12020; (2) no possession of baseball bats or golf clubs without a legitimate purpose; (3)
11 knowingly remaining in the presence of anyone who is in possession of such dangerous
12 weapons; (4) knowingly remaining in the presence of such dangerous weapons;

13 f. **No Fighting:** Engaging in fighting in public streets, alleys, and/or public and
14 private property;

15 g. **No Graffiti/Vandalism Tools:** Possessing marker pens, spray paint cans, nails,
16 razor blades, or other sharp objects capable of defacing private or public property;

17 h. **No Graffiti/Vandalism:** Spray painting, marking with marker pens,
18 scratching, applying stickers or otherwise applying graffiti on any public or private property,
19 including but not limited to the street, alley, residences, block walls, vehicles and/or any
20 other real or personal property;

21 i. **No Trespassing:** Being present on any property not open to the general public,
22 except with (1) the prior written consent of the owner, owner's agent, or the person in lawful
23 possession of the property or (2) in the presence of and with the voluntary consent of the
24 owner, owner's agent, or the person in lawful possession of the property;

25 j. **No Blocking Free Passage:** Blocking the free passage of any person or
26 vehicle on any street, walkway, sidewalk, driveway, alleyway, or other area of public
27 passage;

28 k **No Shooting of Guns:** Discharging any firearm, including BB guns;

- 1 l. **No Intimidation:** In any manner confronting, intimidating, annoying,
2 harassing, threatening, challenging, provoking, assaulting and/or battering any residents or
3 patrons or visitors to the Safety Zones, or any other persons who are know to have
4 complained about gang activities;
- 5 m. **No Contraband in Cars:** Driving or possessing a vehicle found to have any
6 contraband, drugs, or illegal or deadly weapons;
- 7 n. **No Burglary Tools:** Possessing burglar tools with no legitimate purpose,
8 including rocks, slim jims, spark plugs, or any part of the spark plug including the porcelain
9 casing, or other devices capable of being used to break into locked vehicles;
- 10 o. **No Acting as Lookouts:** Signaling to, whistling, or acting as a lookout for
11 other persons to warn of the approach of police officers;
- 12 p. **No Littering:** Littering in any public place or place open to public view;
- 13 q. **No Urinating in public:** Urinating on any public or private property open to public
14 view;
- 15 r. **No Gang Hand Signs:** Using physical gestures, or symbols, commonly
16 known as hand signs or engaging in other forms of communication which describe or refer to
17 the gang known as WESTSIDE, including, but not limited to: extending the index finger and
18 last finger while crossing the ring finger and middle finger to form a “W”; touching the tips
19 of both thumbs and extending the index fingers at an angle, or touching the tips of the index
20 fingers together and while the thumbs are extended to form a “W”; with another person,
21 grasping there hands while extending the opposite hand, to form a “W”; making an “S” made
22 by cupping both hands as if making a letter “C” then placing the right hand on top of the left
23 hand; Placing the index finger under the middle finger and separating the two while
24 extending the thumb in a downward position to make an “S”.
- 25 s. **No Gang Clothes:** Wearing clothing, or accessories, including necklaces,
26 which bear the name, initials, letters, numbers or other symbols of the gang known as
27 WESTSIDE, including, but not the limited to : "WSG"; “WSG1”; “WSGX3”; “WS”;
28 “WS#1”; “VE 13”; VEXIII”; VEV XIII”; VEV X3”; “X3”; “XIII”; and “13.”

1 t. **No Loud Noise:** Making, or causing loud noise of any kind, including, but not
2 limited to, yelling and loud music at any time of the day or night, in violation of Escondido
3 Municipal Code §§17-240 (a), (b), §17-227(1) and (2);

4 u. **Juvenile Curfew:** If under the age of eighteen (18), being in a public place
5 between the hours of 10:00 p.m. on any day, and 6:00 a.m. of the following day, unless (1)
6 accompanied by a parent or legal guarding, or by a spouse eighteen (18) years of age or
7 older, or (2) performing an errand directed by a parent or legal guarding, or by a spouse
8 eighteen (18) years of age or older, or (3) returning directly home from a public meeting, or a
9 place of public entertainment, such as a movie, play, sporting event, dance or school activity,
10 or (4) actively engaged in some business, trade, professionalism, or occupation which
11 requires such presence;

12 **IT IS FURTHER ORDERED** that a copy of this order to show cause and temporary
13 restraining order be served on Defendants no later than _____, 2001.

14 DATED: _____
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18 Judge of the Superior Court
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